

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 11-20118
)
JOHN GIVINS,)
)
Defendant.)

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION AND
DENYING DEFENDANT'S MOTION TO SUPPRESS**

Before the Court are the February 21, 2012 Motion to Suppress (the "Motion") and the May 1, 2012 Report and Recommendation. (Motion, ECF No. 313.) Magistrate Judge Diane Vescovo recommended that the Court deny Givins' Motion. (Report and Recommendation on Def.'s Motion to Suppress, ECF No. 377) ("Report.") Having reviewed the Magistrate Judge's recommendations, the Court ADOPTS them and DENIES Givins' Motion.

Objections to the Magistrate Judge's Report were due by May 15, 2012. Neither Givins nor the Government has objected. "A district judge must determine de novo any part of a magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C). A district court is not required to review—under a de novo or any other standard—

those aspects of the report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The Supreme Court has expressly concluded that a district court should adopt the findings and rulings of the magistrate judge to which no specific objection is filed. Id. at 151. Otherwise, a district court would be forced "to review every issue in every case, no matter how thorough the magistrate's analysis and even if both parties were satisfied with the magistrate's report. . . . [which] would be an inefficient use of judicial resources." Id. at 147-48; accord Javeherpour v. United States, 315 F. App'x 505, 509 (6th Cir. 2009). The parties failed to object to the Magistrate Judge's Report. Thus, the Magistrate Judge's determination "become[s] that of the district court." Arn, 474 U.S. at 151 (citation omitted). The Court ADOPTS the Magistrate Judge's Report and DENIES Givins' Motion.

So ordered this 15th day of June, 2012.

s/ Samuel H. Mays, Jr. _____
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE